UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,793	10/27/2003	Eugene M. Lee	113708.129 US1	1059

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

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	Application No.	Applicant(s)
Office Action Summary	10/692,793	LEE ET AL.
	Examiner	Art Unit	
	Tran A. Quoc	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _14 May 2007_.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,6-10,13-18 and 20-54_ is/are pending in the application.

　　4a) Of the above claim(s) _29-53_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,6-10,13-18,20-28 and 54_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _14 May 2007_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-SB/08) Paper No(s)/Mail Date _05-29-2207_.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)　　　　Office Action Summary　　　　Part of Paper No./Mail Date 20070725

DETAILED ACTION

This action is a **Non-final** rejection in response to RCE/Amendment/Remarks filed on 05-14-2007.

Claims 1-4, 6-10, 13-18, 20-28 and 54 are pending. Claims 5, 11-12, and 19 have been canceled. Claims 29-53 have been withdrawn

Claims 1, 14, 17-18, 20, 22, 25, and 27 are amended.

Effective filing date 10/27/03, benefit from 60/315,021 filed on 08/28/2001 (Assignee KMO).

It is noted, the recitation "*stored in a first data storage, the documents being stored in a second data storage, the first data storage and the second data storage being at least one of physically separate and logically separate,*" as cites in Independent claims 1, and 18 has not been given patentable weight because the recitation occurs in _the preamble_. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/14/2007 has been entered.

Information Disclosure Statement

A signed and dated copy of applicant's IDS, which was filed on 05-29-2007, is attached to this Office Action.

Drawings

The Drawings are objected to because of the following informalities:

Corrected drawing sheets in compliance with 37 CFR 1.84(h), (i), (l), (p) are required: Views not labeled properly, words do not appear horizontal, left to right fashion, and lines, number & letter not uniformly thick, and well defined, clean (poor line quality), not number and reference not plain, and legible (see fig. 10-13, 16-18b, 20, 22, and 23). Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-10, 13-18, 20-28 and 54 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Rivette'137 et al. US006877137B1- filed 12/07/1999

[hereinafter Rivette'137], in view of Rivette'434 et al. US006389434B1- filed

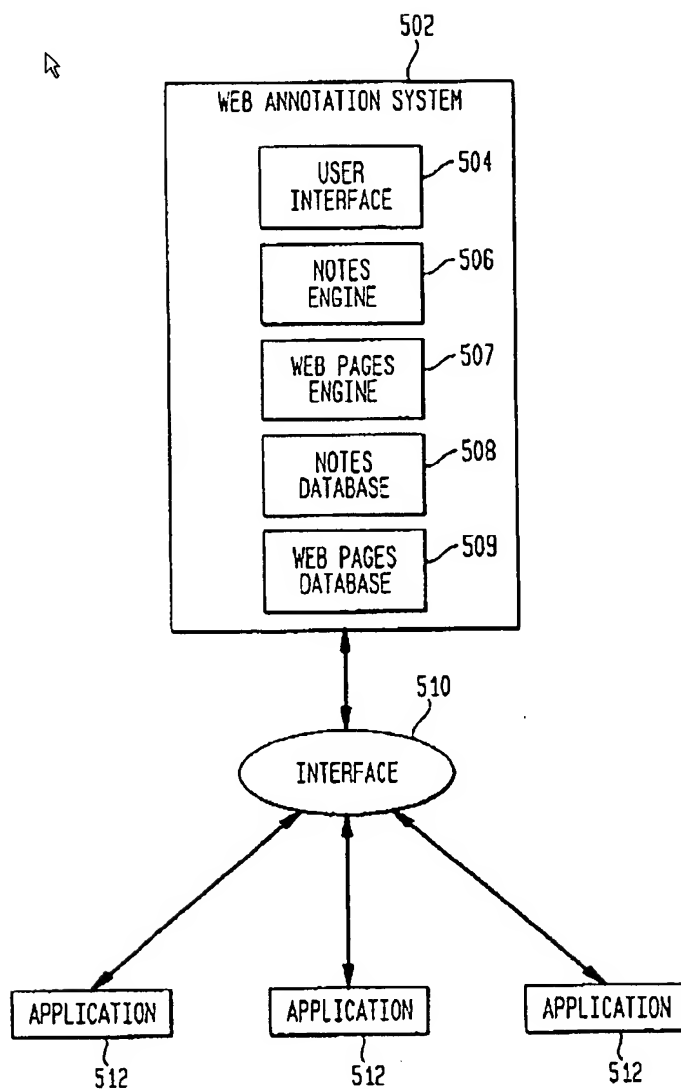**08/09/1998 [hereinafter Rivette'434].**

Regarding independent claim 1,
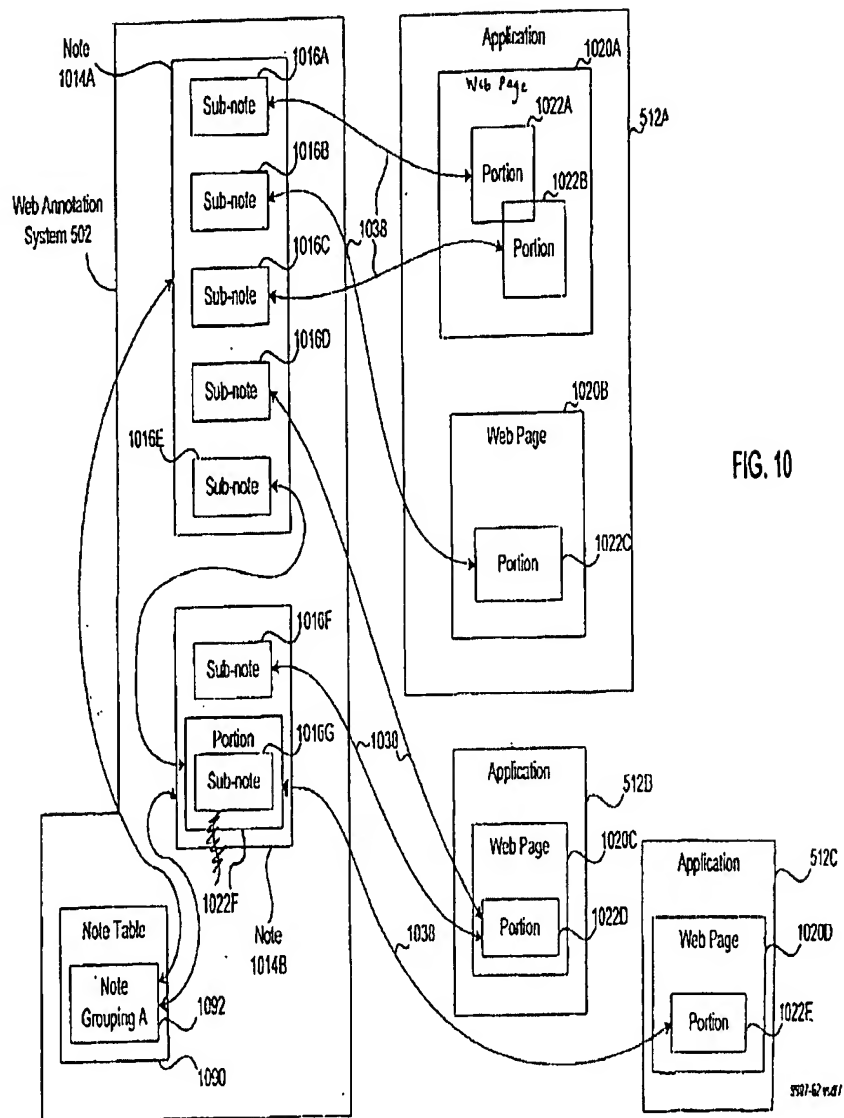
Rivette'137 teaches:

> **an annotation component configured to determine, responsive to at least one user, at least one annotation to be applied to at least one document, including a selection resource to select at least a portion of the at least one document and to associate the at least one annotation therewith.**

Specifically Rivette'137 discloses web annotation system (item 502 Fig. 5) the plurality

components (items 504-509, fig. 5) for Web annotation (Rivette'137, col. 13, lines 5-10).

In addition Rivette'137 discloses user interface (item 504, fig. 5) creates, updates, and

deletes objects in the Web annotation system 502 preferably using the COM interfaces

(Rivette'137, col. 17, lines 10-20).

FIG. 5

502

WEB ANNOTATION SYSTEM

USER INTERFACE — 504

NOTES ENGINE — 506

WEB PAGES ENGINE — 507

NOTES DATABASE — 508

WEB PAGES DATABASE — 509

510

INTERFACE

APPLICATION　　APPLICATION　　APPLICATION

512　　　　　512　　　　　512

Furthermore Rivette'137 discloses web annotation system using Component

Object Model, Jscript or DHTML component for controlling annotation system. Whereby

enable a user to create an annotation to a web page, and links the annotation to the

selected portion (Rivette'137 at col. 4, line 60 through col. 5 and Fig. 10 items 502,

1014A, 1016A and 1020A-1022B).

FIG. 10

Furthermore Rivette'137 teaches:

The annotation is image data or text, wherein each annotation can be

different from every other annotation;

For example, Rivette'137 discloses in FIG. 5 the Web annotation system 502,

includes a Web page's images or its text (see Rivette'137 Column 11, Lines 40-45).

Also, See Rivette' 137, Column 7, Lines 45-55, teaches product (CPP) for

attaching annotations (or notes and sub-notes) to different data object portions as required

by the needs of the user.

Furthermore Rivette'137 teaches:

a reference component, responsive to the at least one user, configured

to at least one of establish, traverse, indicate, and remove, at least one

reference between the at least one portion and at least one of an other portion

of the at least one document, an other document, and at least one other

portion of the other document.

Specifically Rivette'137 discloses a user interface for accessing and traverse the function

provides by the web annotation system item 502 (Rivette'137, col. 31, lines 5-25). Also

Rivette'137 discloses portions of Web pages can be stored at a Web site or in a local file

system. The method of linking notes to web pages operates by enabling a user to select a

portion of a Web page, creating a annotation, linking the annotation to the selected

portion, receiving a request from a user viewing the annotation to display the selected

portion linked to the annotation, and invoking an application, and for causing the

application to load the Web page and present the selected portion (Rivette'137 at the

Abstract).

In addition Rivette'137 teaches:

a mark-up resource to at least one of add and edit the at least one

annotation.

For example Rivette'137 discloses creating a annotation, linking the annotation to the selected portion, receiving a request from a user viewing the annotation to display the selected portion linked to the annotation, and invoking an application, and for causing the application to load the Web page and present the selected portion (Rivette'137 at the Abstract).

Rivette'137 teaches:

to retrieve at least one document from the first data storage as document data.

For example Rivette'137 discloses portions of Web pages can be stored at a Web site or in a local file system (Rivette'137 at the Abstract).

In addition Rivette'137 teaches:

to retrieve the at least one annotation be applied to said at least one document from a second storage as annotation data.

For example Rivette'137 discloses receiving a request from a user viewing the annotation to display the selected portion linked to the annotation, and invoking an application, and for causing the application to load the Web page and present the selected portion (Rivette'137 at the Abstract).

In addition, Rivette'137 does not explicitly teach, but Rivette'434 teaches:

at least one merge component configured to combine the annotation data and the document data to form a single logical document, the single logical displaying the annotation data embedded in the document data,

Rivette'434 teaches this limitation at (col. 2, lines 50-65 and col. 9, line 20-25,)

Specifically Rivette'434 describes Microsoft Word and Microsoft Excel allows users to

attach notes to their document where he wishes to insert the note utilizing Object Linking

Embedded (OLE).

Also, Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608

illustrate the example screen display of Rivette'434 configuring to combine the

annotation data and the document data to form a single logical document, the single

logical having the annotation data embedded in the document data (Rivette'434, col. 14

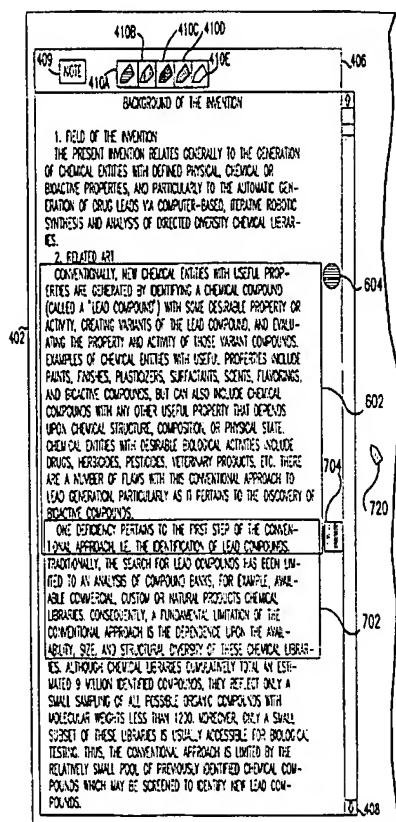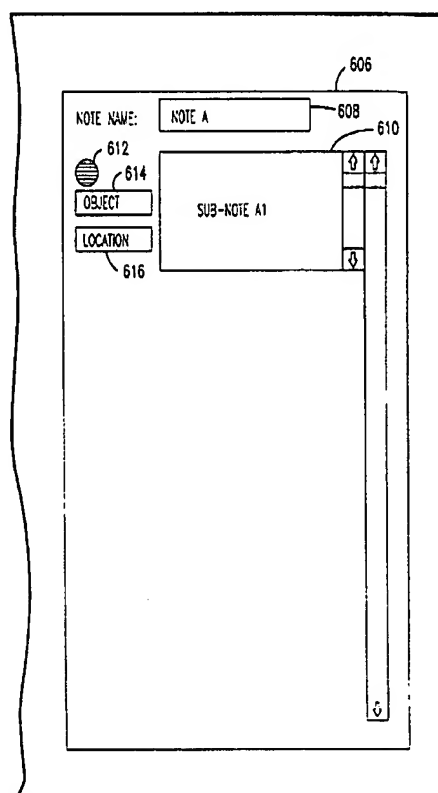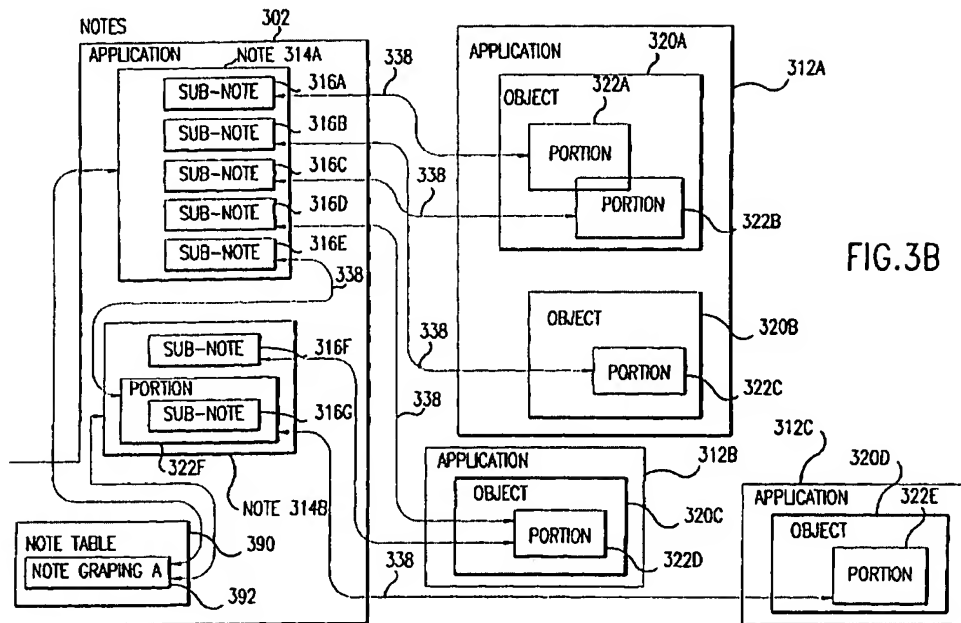line 50 – col. 15, line 15, fig 3B, 4, and 6A-B).

FIG.7A   FIG.6B

FIG.3B

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified the teaching of Rivette'137, to include at least one

merge component configured to combine the annotation data and the document data to

form a single logical document, the single logical having the annotation data embedded in

the document data of Rivette'434 teaching. One of the ordinary skill in the art would

have been motivated to perform such a modification, because Rivette'137 and

Rivette'434 are from the same field of endeavor of utilizing Object Linking Embedded

(OLE) to create an annotation to a web page, and enabling user to attaching, grouping,

embedded note to some computer applications as Microsoft Word, Word Perfect, and

Excel (Rivette'137 col. 3, lines 35-60).

*Regarding **independent claim 18**,*

the rejection of claim 1 is fully incorporated, similarly rejected along the same

rationale. In addition Rivette'137 teaches:

document data including at least one element corresponding to

a location of the at least one annotation within said document.

For example Rivette discloses the bi-directional hyperlink that a user associates with the

part of the Web page he/she has selected (Rivette'137 at col. 10, lines 30-35). Also

Rivett'137 discloses Hypertext Markup Language (HTML) (see Rivette'137 at col. 2,

lines 20-35).

Using the broadest reasonable interpretation, the examiner equates Rivett'137

teaching of Hypertext Markup Language (HTML) to the claimed invention, because it is

the authoring language used to create documents or pages accessible on the Web,

whereby Hyperlinks are a common function of the Internet (a hyperlink is an element in

an electronic document that links to another place in the same document or to an entirely

different document in the Web environment).

Furthermore Rivette'137 teaches:

at least one version component, configured to at least one of manage a

history of changes and to maintain a separate version for the document data

and the annotation data to be applied thereto;

Specifically Rivette'137 discloses notes can be grouped together under one note

grouping, note table (item 1090) or other database construct is used to keep track of

which notes are in which note groupings (Rivette'137 at col. 18, lines 55-60 fig. 10 item

502 and 1090).

In addition Rivette'137 teaches:

at least one split component, configured to update the at least one

annotation in the first data storage from the extracted annotation data, and

to update the at least one document in the second data storage from the

extracted document data.

(See Rivette'137 Column 33, Lines 60-65, discloses the object identifier data, the

location identifier data, and the range data are partitioned into the note/object linking

information database 2408 (along with any link privacy settings). All other information is

stored in the note information database 2406. Using the broadest reasonable

interpretation, the Examiner equates the claimed **split component,** as equivalent to data

are partitioned into the note/object linking information database 2408 as taught by

Rivette'137.

Also, Rivette'137 discloses portions of Web pages can be stored at a Web site or

in a local file system (Rivette'137 at the Abstract).

Also, Rivette'137 teaches receiving a request from a user viewing the annotation

to display the selected portion linked to the annotation, and invoking an application, and

for causing the application to load the Web page and present the selected portion

(Rivette'137 at the Abstract).

*Regarding **independent claim 25**,*

the rejection of claims 1 and 18 are fully incorporated, similarly rejected along the

same rationale. In addition Rivette'137 teaches:

in the computer system and in responsive to user.

Specifically Rivette'137 discloses a web annotation system (item 502 Fig. 5) the plurality

components (items 504-509, fig. 5) for Web annotation (Rivette'137, col. 13, lines 5-10).

In addition Rivette'137 discloses user interface (item 504, fig. 5) creates, updates, and

deletes objects in the Web annotation system 502 preferably using the COM interfaces

(Rivette'137, col. 17, lines 10-20).

Using the broadest reasonable interpretation, the examiner equates, the claimed **in**

responsive to user in the computer system to Rivette'137 suggests of the user

interface of fig. 10 of Rivette'137.

Claim 2,

Rivette'137 teaches:

a view component operatively connected to the annotation to edit,

responsive to the at least one user, the at least one portion of the at least one

document selected by the selection resource.

Specifically Rivette'137 discloses a web annotation system (item 502 Fig. 5) the plurality

components (items 504-509, fig. 5) for Web annotation (Rivette'137, col. 13, lines 5-10).

In addition Rivette'137 discloses user interface (item 504, fig. 5) creates, updates, and

deletes objects in the Web annotation system 502 preferably using the COM interfaces

(Rivette'137, col. 17, lines 10-20).

Claim 3,

Rivette'137 does not expressly teach, but Rivette'434 teaches:

display the single logical document as a representation of the at

least one document.

(See Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608 illustrate

the example screen display of Rivette'434 configuring to combine the annotation data

and the document data to form *a single logical document*, the single logical having the

annotation data embedded in the document data.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified the teaching of Rivette'137, to include a means of

displaying the single logical document as a representation of the at least one document of

Rivette'434 teaching. One of the ordinary skill in the art would have been motivated to

perform such a modification, because Rivette'137 and Rivette'434 are from the same

field of endeavor of utilizing Object Linking Embedded (OLE) to create an annotation to

a web page, and enabling user to attaching, grouping, embedded note to some computer

applications as Microsoft Word, Word Perfect, and Excel (Rivette'137 col. 3, lines 35-

60).

Claim 4,

Rivette'137 teaches:

document data includes at least one element corresponding to a

location of the at least one annotation within said document.

(See Rivette'137 Column 17, Lines 10-26, discloses the user interface to create, update

objects in the web annotation system.

Also, see Rivette'137 Column 18, Lines 5-30, discloses user can navigate from

sub-notes to the web pages via link.)

Claims 6, and 20,

Rivette'137 teaches:

the document data and the annotation data is at least one of: XML

format, binary format, image data, video data and audio data.

For example Rivette'137 discloses each sub-note includes a content data that which can

be any format or combination of formats, such as text, sound, video, image, executable

program, tactile, etc (Rivette'137, col. 18, lines 10-30).

Claim 7,

Rivette'137 teaches:

at least one split component, responsive to said, configured: to extract

the annotation data   .

(See Rivette'137 Column 33, Lines 60-65, discloses the object identifier data, the

location identifier data, and the range data are partitioned into the note/object linking
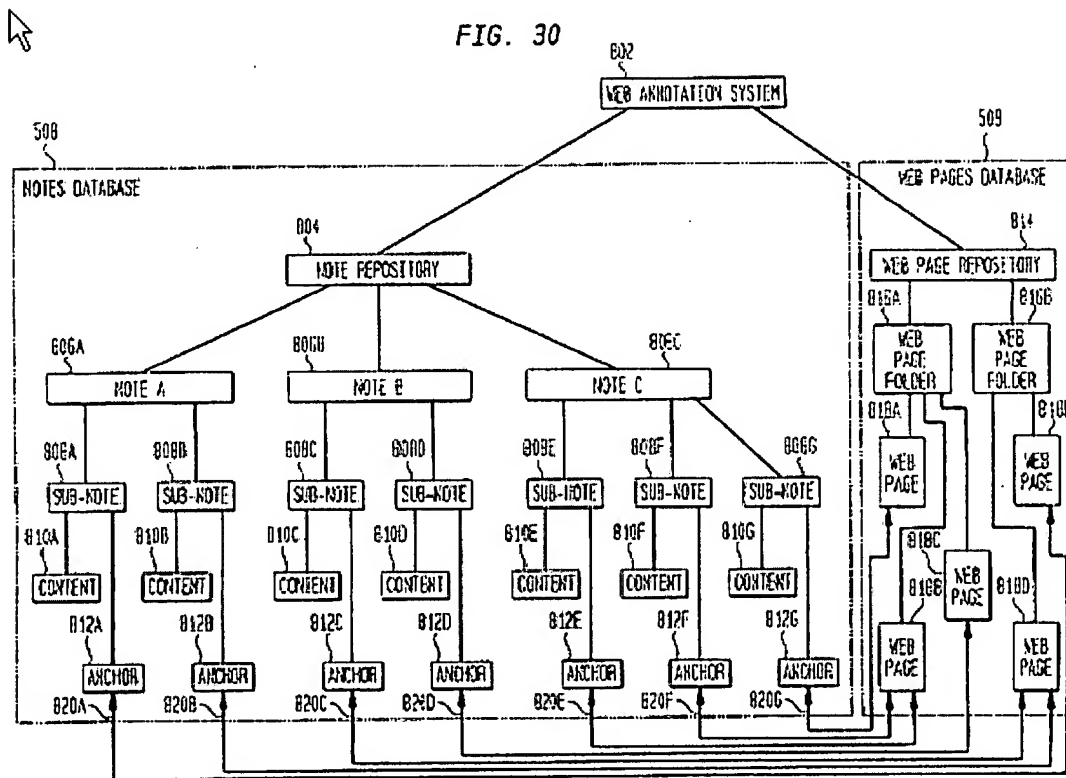
information database 2408 (along with any link privacy settings). All other information is

stored in the note information database 2406. Using the broadest reasonable

interpretation, the Examiner equates the claimed **split component,** as equivalent to data

are partitioned into the note/object linking information database 2408 as taught by

Rivette'137.

Also, see Rivette'137 Column 7, Lines 45-55, teaches product (CPP) for attaching

annotations (or notes and sub-notes) to different data object portions as required by the

needs of the user. Using the broadest reasonable interpretation, the Examiner equates the

claimed **extract the annotation data** as equivalent to attaching annotations (or notes and

sub-notes) to different data object portions as required by the needs of the user as taught

by Rivette'137.

Also, Rivette'137 teaches:

> **to update the at least one annotation in the first data storage from the**
>
> **extracted annotation data, and to update the at least one document in the**
>
> **second data storage from the extracted document data,**

(See Rivette'137 Fig. 30 Column 29, Lines 55-65, discloses notes database 508 that

stores Notes A, B, and C. As described above with reference to FIG. 8, the user interface

504 (FIG. 5) creates, updates, and deletes objects in the Web annotation system 502

preferably using the COM interfaces.)

FIG. 30

In addition, Rivette'137 does not expressly teach, but Rivette'434 teaches:

single logical document, and the document data from the single logical

document:

(See Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608 illustrate

the example screen display of Rivette'434 configuring to combine the annotation data

and the document data to form *a single logical document*, the single logical having the

annotation data embedded in the document data.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified the teaching of Rivette'137, to include a means of

displaying the single logical document as a representation of the at least one document of

Rivette'434 teaching. One of the ordinary skill in the art would have been motivated to

perform such a modification, because Rivette'137 and Rivette'434 are from the same field of endeavor of utilizing Object Linking Embedded (OLE) to create an annotation to a web page, and enabling user to attaching, grouping, embedded note to some computer applications as Microsoft Word, Word Perfect, and Excel (Rivette'137 col. 3, lines 35-60).

Claim 8,

Rivette'137 teaches:

wherein the at least one annotation indicates an evaluation of at least one legal property relative to the at least one document.

(See Rivette'137 Column 39, lines 5-25, discloses the related projects, such as licensing studies, litigation efforts, opinions of counsel (such as patentability, patent validity, and patent infringement studies); (2) scientific and/or engineering related projects, such as research and development projects; (3) electronic text books, handbooks, user manuals, encyclopedias, and other electronic reference works, including multimedia reference works; (4) auditory and visual documents; (5) virtual library; (6) review course, such as legal bar review course, business review courses, CPA courses, medical review courses, etc.; (7) virtual classrooms; (8) business-related Internet to research; and (9) casual Internet use.)

Claim 9,

>   Rivette'137 teaches:

>   **at least one version component, configured to at least one of**

>   **manage a history of changes and maintain at least one separate**

>   **version for the at least one document and the at least one annotation**

>   **applied thereto.**

(See Rivette'137 Fig. 30 Column 29, Lines 55-65, discloses notes database 508 that

stores Notes A, B, and C. As described above with reference to FIG. 8, the user interface

504 (FIG. 5) creates, updates, and deletes objects in the Web annotation system 502

preferably using the COM interfaces.)

Also, see Rivette' 137 Column 22, Lines 25-40, a notes directory tree or a Web

pages directory tree displayed in the notes/Web page directory window 1212, searching

for a note or sub-note (as described above with the search button 1230), loading the

original Web page (function that shows the user the original version of the Web page).)

Claim 10,

>   Rivette'137 teaches:

>   **at least one schema configured to identify at least one tag in at**

>   **least one of the at least one portion, the at least one document, and the**

>   **at least one annotation.**

(See Rivette'137 Column 18, Lines 10-30, discloses Linking Sub-Notes To Web Pages

allows users to link sub-notes to portions of data object, preferably Web pages, wherein a

Web page (or data object) represents any information in any form that can be accessed

and/or processed by a computer via the Internet (i.e. such as text files, image files, video

files, audio files, computer programs, HTML documents, etc. Accordingly, these Web

pages are disparate in both form and content. It is noted the claimed "*schema*" is wherein

a Web page (or data object) represents any information in any form that can be accessed

and/or processed by a computer via the Internet (i.e. such as text files, image files, video

files, audio files, computer programs, HTML documents, etc as taught by Rivette'137.

Claim 13,

> Rivette'137 teaches:

> > **the at least one annotation being associated with the at least**
> >
> > **one user, the at least one document being accessible by the plurality of**
> >
> > **users including the at least one user, and wherein the merge**
> >
> > **component is further configured, responsive to a request for the at**
> >
> > **least one document from the at least one, to limit the annotation data**
> >
> > **included in. the single logical document to annotations associated with**
> >
> > **the at learnt one user.**

(See Rivette'137 Column 14, Lines 60-67, discloses a user to select a portion of a Web

page stored at a Web site or from a local file system (if the portion of the Web page was

cached), and links the annotation to the selected portion. The invention receives a request

from a user viewing the annotation to display the selected portion linked to the

annotation. In response to this request, the invention makes a connection to the Web site,

if a connection is not already created, and causes the Web site to send the Web page and

present the selected portion. Also note that if the portion of the Web page was cached and

thus stored in a local file system, then the present invention does not need to make a

connection to a Web site.)

Claims 14, 22 and 27,

the rejection of claims 1, 18, and 25 are fully incorporated, and similarly rejected

along the same rationale. In addition Rivette'137 teaches:

at least one annotation includes at least one of: a pre-defined notation,

a user-provided text, a user-defined attribute, a reference to a URL, and a

reference to one other file.

For example Rivette'137 discloses a web annotation system (item 502 Fig. 5) the

plurality components (items 504-509, fig. 5), includes a web page's image and its text,

that are associated with notes stores in notes database (item 508), via the Internet

(Rivette'137, col. 11, lines 40-65, fig. 5).

Claims 15 and 23,

Rivette'137 teaches:

wherein the at least one document is representative of at least

one of: a patent document, a trademark document, a copyright

document, a product description document, a license document, a sui

generis protection document, a design registration document, a trade

secret document, and an opinion document.

(See Rivette'137 Column 39, lines 5-25, discloses the related projects, such as licensing

studies, litigation efforts, opinions of counsel (such as patentability, patent validity, and

patent infringement studies); (2) scientific and/or engineering related projects, such as

research and development projects; (3) electronic text books, handbooks, user manuals,

encyclopedias, and other electronic reference works, including multimedia reference

works; (4) auditory and visual documents; (5) virtual library; (6) review course, such as

legal bar review course, business review courses, CPA courses, medical review courses,

etc.; (7) virtual classrooms; (8) business-related Internet to research; and (9) casual

Internet use.)

Claims 16 and 24,

Rivette'137 teaches:

a report component, responsive to a user, configured to

provide a report listing each annotation in the at least one document,

and in visual correspondence thereto a summary of each portion in

the at least one document that is associated with each annotation;

(See Rivette'137 Column 39, lines 5-25, discloses the related projects, such as licensing

studies, litigation efforts, opinions of counsel (such as patentability, patent validity, and

patent infringement studies); (2) scientific and/or engineering related projects, such as

research and development projects; (3) electronic text books, handbooks, user manuals,

encyclopedias, and other electronic reference works, including multimedia reference

works; (4) auditory and visual documents; (5) virtual library; (6) review course, such as

legal bar review course, business review courses, CPA courses, medical review courses,

etc.; (7) virtual classrooms; (8) business-related Internet to research; and (9) casual

Internet use.

Also, see Rivette'137 Fig. 30 Column 29, Lines 55-65, discloses notes database

508 that stores Notes A, B, and C. As described above with reference to FIG. 8, the user

interface 504 (FIG. 5) creates, updates, and deletes objects in the Web annotation system

502 preferably using the COM interfaces.)

Also, see Rivette' 137 Column 22, Lines 25-40, a notes directory tree or a Web

pages directory tree displayed in the notes/Web page directory window 1212, searching

for a note or sub-note (as described above with the search button 1230), loading the

original Web page (function that shows the user the original version of the Web page).

Also, Rivette'137 teaches:

> **a map component, responsive to the user, configured to list a**
> **summary of each portion the at least one document, each annotation**
> **in the at least one document including the at least one annotation, and**
> **each reference from the at least one portion of the document,**
> **including the at least one reference, wherein each annotation and each**
> **reference is visually linked to a corresponding portion listed in the**
> **summary.**

(See Rivette' 137 Column 22, Lines 25-40, a notes directory tree or a Web pages

directory tree displayed in the notes/Web page directory window 1212, searching for a

note or sub-note (as described above with the search button 1230), loading the original

Web page (function that shows the user the original version of the Web page).

Also, see Rivette'137 Column 7, Lines 45-55, teaches product (CPP) for attaching

annotations (or notes and sub-notes) to different data object portions as required by the

needs of the user. Using the broadest reasonable interpretation, the Examiner equates the

claimed **a map component** as equivalent to attaching annotations (or notes and sub-

notes) to different data object portions as required by the needs of the user as taught by

Rivette'137.

Claims 17, and 28,

Rivette'137 teaches:

wherein at least one document is an intelligent property document.

For example Rivette'137 discloses Rivette' invention is applicable to law related project

(patentability)(Rivette'137, col.39, lines 10-25).

Claim 21,

the rejection of claims 1, 18, and 25 are fully incorporated, similarly rejected

along the same rationale. In addition Rivette'137 teaches:

a schema to identify at least one tag in the at least one element, and

logic to determine tags for at least one of the document data, the annotation

data, and the at least one marked-up representation.

(See Rivette'137 at col. 20, lines 15-20, discloses that one or more of notes are grouping

in a table, whereby all the notes and sub notes from the table can be links to the

appropriate portion of the target web page as selected by user using the OLE standard is

based on the Component Object Model (COM), Jscript or DHTML for controlling the

web annotating system Fig. 10 item 502.

It is noted that, the OLE standard is based on the Component Object Model

(COM), Jscript or Dynamic Hypertext Markup Language (DHTML) is the authoring

language used to create documents or pages accessible on the Web, whereby Hyperlinks

are a common function of the Internet; A hyperlink is an element in an electronic

document that links to another place in the same document or to an entirely different

document in the Web environment, (see Rivette'137 at col. 2, lines 20-35), can be

reasonably interprets as claimed a schema to identify at least one tag in the at least one

element, and logic to determine tags. Since Dynamic Hypertext Markup Language

(DHTML) is well known as logically linking element in an electronic document that links

to another place in the same document or to an entirely different document in the Web

environment using tag schema in collaborating with Component Object Model (COM),

Jscript using in Rivette'137 web annotating system.

Claim 26,

the rejection of claims 1, 18, and 25 are fully incorporated, similarly

rejected along the same rationale. In addition Rivette' 137 teaches:

providing a map listing a summary of each portion in the at least one

document, each annotation in the at least one document including the at least

one annotation, and each reference from the at least one portion of the

document, including the at least one reference, wherein each annotation and

each reference is visually linked to a corresponding portion listed in the

summary.

(See Rivette'137 at col. 20, lines 15-20, discloses that one or more of notes are grouping in a table, whereby all the notes and sub notes from the table can be links to the appropriate portion of the target web page as selected by user using the OLE standard is based on the Component Object Model (COM), Jscript or DHTML for controlling the web annotating system Fig. 10 item 502.

It is noted that, the OLE standard is based on the Component Object Model (COM), Jscript or Dynamic Hypertext Markup Language (DHTML) is the authoring language used to create documents or pages accessible on the Web, whereby Hyperlinks are a common function of the Internet; A hyperlink is an element in an electronic document that links to another place in the same document or to an entirely different document in the Web environment, (see Rivette'137 at col. 2, lines 20-35), can be reasonably interprets as claimed a schema to identify at least one tag in the at least one element, and logic to determine tags. Since Dynamic Hypertext Markup Language (DHTML) is well known as logically linking element in an electronic document that links to another place in the same document or to an entirely different document in the Web environment using tag schema in collaborating with Component Object Model (COM), Jscript using in Rivette'137 web annotating system.

In addition Rivette'137 does not explicitly teach, but Rivette'434 teaches:

in visual correspondence thereto a summary of each portion in the at least one document that is in associated with each annotation.

Specifically Rivette'434 describes Microsoft Word and Microsoft Excel allows users to attach notes to their document where he wishes to insert the note utilizing Object Linking

Embedded (OLE) (Rivette'434 col. 2, lines 50-65 and col. 9, line 20-25). In addition Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608 illustrate the example screen display of Rivette'434 configuring to combine the annotation data and the document data to form a single logical document, the single logical having the annotation data embedded in the document data (Rivette'434, col. 14 line 50 – col. 15, line 15, fig 3B, 4, and 6A-B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the teaching of Rivette'137, to include in visual correspondence thereto a summary of each portion in the at least one document that is in associated with each annotation of Rivette'434 teaching. One of the ordinary skill in the art would have been motivated to perform such a modification, because Rivette'137 and Rivette'434 are from the same field of endeavor of utilizing Object Linking Embedded (OLE) to create an annotation to a web page, and enabling user to attaching, grouping, embedded note to some computer applications as Microsoft Word, Word Perfect, and Excel (Rivette'137 col. 3, lines 35-60).

Claim 54,

Rivette'137 teaches:

an annotation tool, responsive to a user, configured to input annotation data to be applied, to the at least one document, including a selection require to select at least one element of the document data to be annotated, and a mark-up resource to at least one of add and edit annotation data corresponding to the at least one element;

(See Rivette'137 Column 4, Lines 55-65, discloses a system, method, and computer

program product of linking annotations (or notes or sub-notes in a note) to Web pages.

The invention enables a user to select a portion of a Web page stored at a Web site or

from a local file system (if the portion of the Web page was cached). The invention

creates an annotation, and links the annotation to the selected portion. The invention

receives a request from a user viewing the annotation to display the selected portion

linked to the annotation.

Also, see Rivette'137 Column 12 Line 55 → Column 13 Line 5, discloses OLE,

DHTML and windows operations are mentioned in this disclosure. Such operations

include selecting text, opening files, moving between windows, resizing windows, editing

documents, etc. Such operations are well known and are described in many publicly

available documents, such as Microsoft Word for Windows Users Guide, 1994,

incorporated herein by reference in its entirety.)

Also, Rivette'137 teaches:

an edit tool, responsive to a user, configured to select the at

least one element, and to edit the at least one element, including a

representation of the at least one selected element, and a

representation of the at least one annotation data; and a reference

tool, configured to determine at least one reference to the at least one

element and at least an other element of at least one document, and to

enable the at least one reference to be traversed by the user,

(See Rivette'137 Column 4, Lines 55-65, discloses a system, method, and computer program product of linking annotations (or notes or sub-notes in a note) to Web pages. The invention enables a user to select a portion of a Web page stored at a Web site or from a local file system (if the portion of the Web page was cached). The invention creates an annotation, and links the annotation to the selected portion. The invention receives a request from a user viewing the annotation to display the selected portion linked to the annotation.

Also, see Rivette'137 Column 12 Line 55 → Column 13 Line 5, discloses OLE, DHTML and windows operations are mentioned in this disclosure. Such operations include selecting text, opening files, moving between windows, resizing windows, editing documents, etc. Such operations are well known and are described in many publicly available documents, such as Microsoft Word for Windows Users Guide, 1994, incorporated herein by reference in its entirety.

Also, Rivette' 137 Column 19 Lines 55-65, teaching the linking mechanism 1038 of the present invention enables users to easily traverse through related Web pages 1020.)

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Argument

Applicant's arguments filed 05-14-2007 have fully considered but they are not

persuasive.

Rejection of Claims 1-4, 6-10, 13-18, 20-28 and 54, Under 35 U.S.C. § 103(a)

(Rivette '137 in view of Rivette '434):

I)   Applicant respectfully submits that, *"the argument referencing dependent*

claims 3-4, 7-10, 13, 15-16 and 23-24, and the argument referencing claims 18 and 25,

pages 6-7 (principal of consistency); (examiner's continued failure to address claim

limitations, incorporating explicit arguments in Amendment filed 22 September 2006,

pages 22-23" because the "Advisory Action issued on March 27, 2007" did not address

all of the applicant's arguments in the Amendment filed 13 March 2007. Although the

Advisory Action included a detailed discussion, there are still arguments to which the

examiner did not respond. See *Response* – Page 16 Bottom → Page 17, Top.

The examiner disagrees.

Firstly, *"claims 3-4, 7-10, 13, 15-16 and 23-24"* as explained in the rejection

above, the system in Rivette'137 discloses Specifically Rivette'137 discloses notes can

be grouped together under one note grouping, note table (item 1090) or other database

construct is used to keep track of which notes are in which note groupings (Rivette'137 at

col. 18, lines 55-60 fig. 10 item 502 and 1090).

Also, see Rivette' 137 Column 13, Lines 15-20, discloses the primary

memory 608 has stored therein control logic 610, such as software corresponding to the

Web annotation system 502, the notes database 508, and the Web pages database 509.

Also, see Rivette'137 Column 11, Lines 40-45, discloses in FIG. 5 the Web

annotation system 502, includes a Web page's images or its text.

Also, Rivette'137 discloses notes can be grouped together under one note

grouping, note table (item 1090) or other database construct is used to keep track of

which notes are in which note groupings (Rivette'137 at col. 18, lines 55-60 fig. 10 item

502 and 1090).

Also, see Rivette'137 Column 33, Lines 60-65, discloses the object identifier

data, the location identifier data, and the range data are partitioned into the note/object

linking information database 2408 (along with any link privacy settings). All other

information is stored in the note information database 2406. Using the broadest

reasonable interpretation, the Examiner equates the claimed *"split component, responsive*

to said," as equivalent to location identifier data, and the range data are partitioned into

the note/object linking information database 2408 as taught by Rivette'137.

Also, Rivette'137 discloses the related projects, such as licensing studies,

litigation efforts, opinions of counsel (such as patentability, patent validity, and patent

infringement studies); (2) scientific and/or engineering related projects, such as research

and development projects; (3) electronic text books, handbooks, user manuals,

encyclopedias, and other electronic reference works, including multimedia reference

works; (4) auditory and visual documents; (5) virtual library; (6) review course, such as

legal bar review course, business review courses, CPA courses, medical review courses,

etc.; (7) virtual classrooms; (8) business-related Internet to research; and (9) casual

Internet use. (Rivette'137 at Column 39, lines 5-25).

Also, see Rivette'137 Column 33, Lines 60-65, discloses the object identifier

data, the location identifier data, and the range data are partitioned into the note/object

linking information database 2408 (along with any link privacy settings). All other

information is stored in the note information database 2406.

Also, see Rivette'137 at Column 39, lines 5-25, discloses the related projects,

such as licensing studies, litigation efforts, opinions of counsel (such as patentability,

patent validity, and patent infringement studies); (2) scientific and/or engineering related

projects, such as research and development projects; (3) electronic text books,

handbooks, user manuals, encyclopedias, and other electronic reference works, including

multimedia reference works; (4) auditory and visual documents; (5) virtual library; (6)

review course, such as legal bar review course, business review courses, CPA courses,

medical review courses, etc.; (7) virtual classrooms; (8) business-related Internet to

research; and (9) casual Internet use. Using the broadest reasonable interpretation, the

Examiner equates the claimed "*map tool*" as equivalent to user interface of linking

information as taught by Rivette'137.

In addition, Rivette'137 does not expressly teach, however Rivette'434 teaches:

"*a single logical document,*" See Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602,

604, 606, and 608 illustrate the example screen display of Rivette'434 configuring to

combine the annotation data and the document data to form *a single logical document*,

the single logical having the annotation data embedded in the document data. It would

have been obvious to a person of ordinary skill in the art at the time the invention was

made to have modified the teaching of Rivette'137, to include a means of displaying the

single logical document as a representation of the at least one document of Rivette'434

teaching. One of the ordinary skill in the art would have been motivated to perform such

a modification, because Rivette'137 and Rivette'434 are from the same field of endeavor

of utilizing Object Linking Embedded (OLE) to create an annotation to a web page, and

enabling user to attaching, grouping, embedded note to some computer applications as

Microsoft Word, Word Perfect, and Excel (Rivette'137 col. 3, lines 35-60).

Secondly, *"referencing independent claims 18 and 25 "* as explained in the above

rejections, the system in Rivette'137 discloses at least one split component, configured to

update the at least one annotation in the first data storage from the extracted annotation

data, and to update the at least one document in the second data storage from the

extracted document data.

Specifically Rivette'137 discloses portions of Web pages can be stored at a Web

site or in a local file system (Rivette'137 at the Abstract).

Also, Rivette'137 teaches receiving a request from a user viewing the annotation

to display the selected portion linked to the annotation, and invoking an application, and

for causing the application to load the Web page and present the selected portion

(Rivette'137 at the Abstract).

Also, Rivette'137 discloses notes can be grouped together under one note

grouping, note table (item 1090) or other database construct is used to keep track of

which notes are in which note groupings (Rivette'137 at col. 18, lines 55-60 fig. 10 item

502 and 1090).

Also, see Rivette'137 Column 33, Lines 60-65, discloses the object identifier

data, the location identifier data, and the range *data are partitioned* into the note/object

linking information database 2408 (along with any link privacy settings). All other

information is stored in the note information database 2406. Using the broadest

reasonable interpretation, the Examiner equates the claimed split component, responsive

to said, single logical document as equivalent to location identifier data, and the range

data are partitioned into the note/object linking information database 2408 as taught by

Rivette'137.

II)   Applicant respectfully submits that, (Rivette'137 in view of Rivette'434)

fail to teach: *"single logical document;"* because the *"embedded link"* in the document

data is not sufficient to meet the recited limitation. See Response – Page 17 → Page 18,

Top.

        The examiner disagrees.

        Firstly, as admitted by the Applicant in the response dated 05-14-2007, " a

document with a link to a note does not teach or suggest a *"single logical document"* with

"the annotation embedded in the document data." (See independent claims 1, 1. 8 and 25.)

This is particularly true where "the annotation is image data or text." See Response Page

17 the Middle.

        Secondly, as explained in the above rejection for claims 1, 18, and 25 above,

Rivette'434 describes the well known Object Linking Embedded (OLE) of Microsoft

Word and Microsoft Excel, allows users to attach notes to their document where he wishes to insert the note utilizing Object Linking Embedded (OLE) (Rivette'434 col. 2, lines 50-65 and col. 9, line 20-25). In addition Rivette'434 illustrate the example screen display as resulting of Rivette'434 configuring to combine the annotation data and the document data to form a single logical document, the single logical having the annotation data embedded in the document data. For example Patent (item 602) is a visual presentation of embedded note link button (item 604) in combination with a portion of patent (item 702) in one logical document (item 402) (Rivette'434, col. 14 line 50 – col. 15, line 15, fig 3B, 4, 6A-B, and 7A).
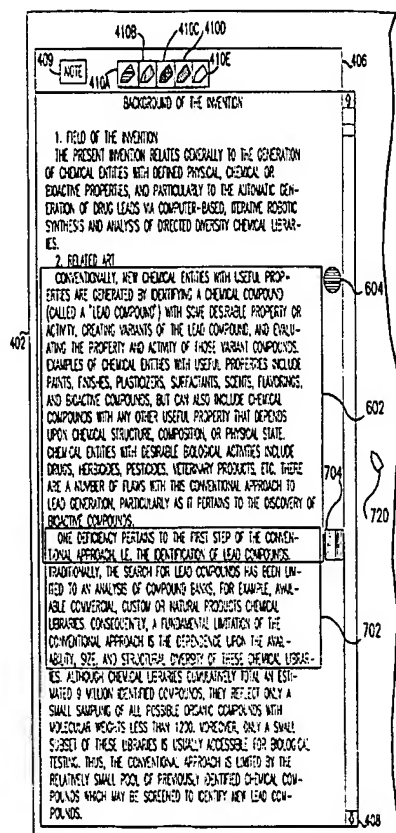

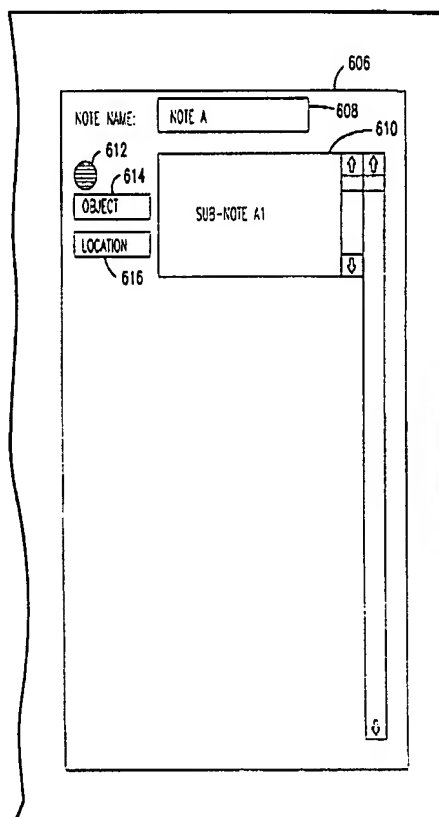FIG.7A   FIG.6B

Thirdly, as explained in the above rejection for claims 1, 18, and 25 above,

See Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608 illustrate

the example screen display of Rivette'434 configuring to combine the annotation data

and the document data to form *a single logical document*, the single logical having the

annotation data embedded in the document data. It would have been obvious to a person

of ordinary skill in the art at the time the invention was made to have modified the

teaching of Rivette'137, to include a means of displaying the single logical document as a

representation of the at least one document of Rivette'434 teaching. One of the ordinary

skill in the art would have been motivated to perform such a modification, because

Rivette'137 and Rivette'434 are from the same field of endeavor of utilizing Object

Linking Embedded (OLE) to create an annotation to a web page, and enabling user to

attaching, grouping, embedded note to some computer applications as Microsoft Word,

Word Perfect, and Excel (Rivette'137 col. 3, lines 35-60).

III)   Applicant respectfully submits that, (Rivette'137 in view of Rivette'434)

fail to teach: the document data *"can be different from every other annotation;"* because

the *"note link buttons"* of Rivette'434 cannot be different from every other note link. See

Response – Page 17 → Page 18, Top.

The examiner disagrees.

As explained in the above rejection for claims 1, 18, and 25, the system in

Rivette'137 discloses in FIG. 5 the Web annotation system 502, includes a Web page's

images or its text (see Rivette'137 Column 11, Lines 40-45). Also, See Rivette' 137,

Column 7, Lines 45-55, teaches product (CPP) for attaching annotations (or notes and

sub-notes) to different data object portions as required by the needs of the user. Using the

broadest reasonable interpretation, the Examiner equates the Claimed as equivalent to

attaching annotations (or notes and sub-notes) to different data object portions as required

by the needs of the user as taught by Rivette'137.

IV)   Applicant respectfully submits that, "*the examiner appears to be relying

*on personal knowledge to support the finding of what is known in the art, i.e. that "the

OLE standard is well known." because taking of "*Official Notice*" the examiner must

provide an affidavit or declaration setting forth specific factual statements and

explanation to support the finding. See Response Page 18 Bottom → Page 19.

The examiner disagrees.

As explained in the above rejection for claims 1, 18, and 25 above, the Examiner

is not and has never taken "*Official Notice*" of the phase "OLE standard is well known."

Thus, this is moot. To clarify the Applicant's argument please see Rivette' 137 at Column

12, Lines 15-65, teaching OLE, Jscript, or DHTML).

IV)   Applicant respectfully submits that, " *the examiner has failed to make a prima

facie case of obviousness" with respect to independent claims 1, 18 and 25. See Response

Page 18 Bottom → Page 19.

The examiner disagrees.

Following KSR direction as following: "SUPREME COURT OF THE UNITED

STATES No. 04–1350 KSR INTERNATIONAL CO., PETITIONER v. TELEFLEX

INC. ET AL. ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF

APPEALS FOR THE FEDERAL CIRCUIT [April 30, 2007], (page 2-3 of the court

opinion) Following Graham v. John Deere Co. of Kansas City, 383 U. S. 1 (1966), the

Court set out a framework for applying the statutory language of §103, language itself

based on the logic of the earlier decision in Hotchkiss v. Greenwood, 11 How. 248

(1851), and its progeny. See 383 U. S., at 15–17. The analysis is objective:

> "Under §103, the scope and content of the prior art are to be determined; differences
> between the prior art and the claims at issue are to be ascertained; and the level of
> ordinary skill in the pertinent art resolved. Against this background the obviousness
> or nonobviousness of the subject matter is determined. Such secondary
> considerations as commercial success, long felt but unsolved needs, failure of others,
> etc., might be utilized to give light to the circumstances surrounding the origin of the
> subject matter sought to be patented." Id., at 17–18.

While the sequence of these questions might be reordered in any particular case, the
factors continue to define the inquiry that controls. If a court, or patent examiner,
conducts this analysis and concludes the claimed subject matter was obvious, the claim is
invalid under §103. Seeking to resolve the question of obviousness with more uniformity
and consistency, the Court of Appeals for the Federal Circuit has employed an approach
referred to by the parties as the "teaching, suggestion, or motivation" test (TSM test),
under which a patent claim is only proved obvious if "some motivation or suggestion to
combine the prior art teachings" can be found in the prior art, the nature of the problem,
or the knowledge of a person having ordinary skill in the art. See, e.g., Al-Site Corp. v.
VSI Int'l, Inc., 174 F. 3d 1308, 1323–1324 (CA Fed. 1999). KSR challenges that test, or
at least its application in this case. See 119 Fed. Appx. 282, 286–290 (CA Fed. 2005).
Because the Court of Appeals addressed the question of obviousness in a manner
contrary to §103 and our precedents, we granted certiorari, 547 U. S ___ (2006). We now
reverse.

Using the broadest reasonable interpretation, and cites evidences above, the

Examiner had found that:

Firstly, as explained in the above rejection for claims 1, 18, and 25 above, Rivette'137 teaches For example, Rivette'137 discloses in FIG. 5 the Web annotation system 502, includes a Web page's images or its text (see Rivette'137 Column 11, Lines 40-45). Also, See Rivette' 137, Column 7, Lines 45-55, teaches product (CPP) for attaching annotations (or notes and sub-notes) to different data object portions as required by the needs of the user. Using the broadest reasonable interpretation, the Examiner equates the claimed "single logical document;" is equivalent to the "embedded link" as taught by Rivette' 137.

Secondly, as explained in the above rejection for claims 1, 18, and 25 above, Rivette'434 describes the well known Object Linking Embedded (OLE) of Microsoft Word and Microsoft Excel, allows users to attach notes to their document where he wishes to insert the note utilizing Object Linking Embedded (OLE) (Rivette'434 col. 2, lines 50-65 and col. 9, line 20-25). In addition Rivette'434 illustrate the example screen display as resulting of Rivette'434 configuring to combine the annotation data and the document data to form a single logical document, the single logical having the annotation data embedded in the document data. For example Patent (item 602) is a visual presentation of embedded note link button (item 604) in combination with a portion of patent (item 702) in one logical document (item 402) (Rivette'434, col. 14 line 50 – col. 15, line 15, fig 3B, 4, 6A-B, and 7A).

Also, See Rivette'434, fig. 3B, 4, and 6A-B, item 302, 402, 602, 604, 606, and 608 illustrate the example screen display of Rivette'434 configuring to combine the

annotation data and the document data to form *a single logical document*, the single

logical having the annotation data embedded in the document data.

Thirdly, it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to have modified the teaching of Rivette'137, to include at

least one merge component configured to combine the annotation data and the document

data to form a single logical document, the single logical having the annotation data

embedded in the document data of Rivette'434 teaching. One of the ordinary skill in the

art would have been motivated to perform such a modification, because Rivette'137 and

Rivette'434 are from the same field of endeavor of utilizing Object Linking Embedded

(OLE) to create an annotation to a web page, and enabling user to attaching, grouping,

embedded note to some computer applications as Microsoft Word, Word Perfect, and

Excel (Rivette'137 col. 3, lines 35-60).

Thus the examiner has established "some motivation or suggestion to combine the

prior art teachings" can be found in the prior art, the nature of the problem, or the

knowledge of a person having ordinary skill in the art. See, e.g., Al-Site Corp. v. VSI

Int'l, Inc., 174 F. 3d 1308, 1323–1324 (CA Fed. 1999). KSR challenges that test, or at

least its application in this case. See 119 Fed. Appx. 282, 286–290 (CA Fed. 2005).

Therefore the Examiner respectfully maintains the rejection of claims **1-4, 6-10,**

13-18, 20-28 and 54 at least at this time based on the Office action dated 12-13-2006 and

all the above evidences.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quoc A. Tran whose telephone number is 571-272-8664.

The examiner can normally be reached on 9AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the

organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Art Unit 2176
July 25, 2007

7|26|2007

/Doug Hutton/
Primary Examiner
Art Unit 2176